

REMARKS

The Office Action dated October 6, 2004 has been carefully considered. In response to the Office Action, the Applicant has amended the application and requests the Examiner to consider the following remarks. Applicant respectfully requests the Examiner to pass the application to allowance.

Art Rejection Under 35 U.S.C. § 102(b)

In the Office Action, claims 1-3, 9-16 and 18-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Clanton, III et al. (U.S. Pat. No. 5,745,710)(hereinafter "Clanton"). Applicant respectfully submits that independent claims 1, 14 and 23 are not anticipated by Clanton because the reference does not teach or suggest animating the transition between first and second menu bars to illustrate the apparent differences between the menu bars.

As understood, Clanton discloses a graphical interface for a video on demand system. Figures 7, 8 and 9 illustrate a movie poster 86 that is used to select a movie to watch. The movie poster 86 transitions with an animation from Figure 7 to Figure 8 when selected by the viewer. As described in columns 9 and 10 of the Clanton reference, when the poster wall 80 is touched the movie poster 86 "jumps" off the poster wall and moves to the foreground such that an unfurled poster 93 appears. If the viewer touches an area other than the poster 93, the poster 93 appears to snap back onto the poster wall 80.

Applicant respectfully submits that Clanton does not teach or suggest rendering animation graphics such that the transition between the first and second menu bars is apparent as described in independent claims 1, 14, and 23.

Specifically, Clanton does not teach or suggest the use of menu bars but of video posters. The posters described by Clanton are used to select videos from the video on demand system. On the other hand, as described by claims 1, 14, and 23, the transition occurs between menu bars that are used to access features of a computer program (i.e., application). Applicant respectfully submits that the menu bars of the present invention are not the same as the posters described by Clanton because the posters provide limited functionality. The posters disclosed by Clanton only allow a user to select videos and provide information about the movie. The posters do not allow a user to select the functionality provided by the computer's software programs. (See generally, Application page 1). On the other hand, the menu bars of the present application present the user multiple choices and different options based on the software application. Therefore, the posters disclosed by Clanton are not the same as the menu bars of the present application because they do not disclose the same functionality as the menu bars.

Furthermore, Clanton does not anticipate the presently claimed invention because Clanton does not disclose rendering the transition between the first and second menu bars to show that the differences between the menu bars is readily apparent. As described by Clanton, if the user selects another poster, the original poster snaps back to the poster wall 80 and the new poster jumps out from the poster wall 80. There is no description within Clanton describing how the new and old posters transition between one another and hence how the posters are different. Accordingly, Applicant respectfully submits that claims 1, 14 and 23 are not anticipated by Clanton and should be allowed. Furthermore, Applicant respectfully

submits that claims 2-13, and 15-22 are in condition for allowance as being dependent upon an allowable base claim.

Art Rejection Under 35 U.S.C. § 103(a)

In the Office Action, claims 4-8 and 17 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Clanton. However, for the reasons stated above, Applicant respectfully submits that independent claims 1, 14, and 23 are not rendered obvious or anticipated by Clanton such that dependent claims 4-8 and 17 are in condition for allowance as being dependent upon an allowable base claim.

Conclusion

In view of the preceding discussion, Applicant respectfully urges that the claims of the present application define patentable subject matter and should be passed to allowance. Such allowance is respectfully requested.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call Applicant's representative at the telephone number listed below.

Respectfully submitted,

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